

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

JUSTIN A. GOPEN,  
Plaintiff,

v.

THE REGENTS OF THE  
UNIVERSITY OF CALIFORNIA  
Defendant.

Case No. 8:15-cv-02062-JVS-KES  
[Hon. James V. Selna]  
[Magistrate Judge Hon. Karen Scott]

**JUDGMENT ON SPECIAL  
VERDICT**

Complaint filed: December 11, 2015  
Trial Date: August 22, 2017

This action came on regularly for trial on August 22, 2017, in Department 10C, of the above-entitled Court, the Honorable Jame V. Selna, presiding. Plaintiff, JUSTIN GOPEN appeared by his attorney, Aaron Gopen of the Law Offices of Aaron Gopen; Defendant, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, appeared by its attorneys, Margaret M. Holm and Jemma E. Dunn of Sedgwick, LLP.

A jury of 8 persons was impaneled and sworn. After hearing the evidence and arguments of the parties, the jury was duly instructed by the Court and the cause was submitted to the jury with directions to return a verdict on special issues. The jury deliberated and thereafter returned into court with its verdicts consisting of the special issues submitted to it as follows:

1           We the jury in above entitled-case find unanimously as follows:

2       1.     Do you find by a preponderance of the evidence that The Regents of  
3     the University of California violated Justin Gopen's rights under American's with  
4     Disabilities Act?

5       \_\_\_\_ Yes                  X No

6

7       2.     Do you find by a preponderance of the evidence that The Regents of  
8     the University of California violated Justin Gopen's rights under the Rehabilitation  
9     Act?

10      \_\_\_\_ Yes                  X No

11

12      3.     Do you find by a preponderance of the evidence that The Regents of  
13     the University of California violated Justin Gopen's rights under the Unruh Act? If  
14     your answer to Question No. 1 was "Yes," you must answer this question "Yes."

15      \_\_\_\_ Yes                  X No

16

17      4.     Do you find by a preponderance of the evidence that The Regents of  
18     the University of California violated Justin Gopen's rights under Disabled Persons  
19     Act? If your answer to Question No. 1 was "Yes," you must answer this question  
20     "Yes."

21      \_\_\_\_ Yes                  X No

22

23      5.     Do you find by a preponderance of the evidence that The Regents of  
24     the University of California violated Justin Gopen's rights under the Emergency  
25     Medical Treatment and Labor Act?

26      \_\_\_\_ Yes                  X No

1       6.     Do you find by a preponderance of the evidence that The Regents of  
2 the University of California violated Justin Gopen's rights under Health and Safety  
3 Code Section 1317?

4       \_\_\_\_ Yes                  X   No

5

6       7.     Do you find by a preponderance of the evidence that The Regents of  
7 the University of California committed fraud?

8       \_\_\_\_ Yes                  X   No

9

10      If you answered "Yes" to at least one question, answer the next question.

11      Otherwise skip to the end and sign and date the verdict.

12

13      8.     What damages do you find by a preponderance of the evidence of the  
14 evidence Justin Gopen sustained for:

15      Past non-economic loss:       \$ \_\_\_\_\_

16      Future non-economic loss:     \$ \_\_\_\_\_

17

18      Count each element of damage only once even if it applies to more than one  
19 claim.

20

21      9.     If you awarded damages in answering Question No. 8, did you award  
22 damages for:

23      The Americans with Disability Act:    \_\_\_\_ Yes       \_\_\_\_ No

24      The Rehabilitation Act:                \_\_\_\_ Yes       \_\_\_\_ No

25

26      ///

27      ///

28      ///

1        10. If you answered Question No. 3 concerning the Unruh Act "Yes,"  
2 answer this question. In answering Question No. 8, did you include actual damages  
3 for the violation of the Unruh Act?

4         Yes       No

5

6 If "Yes", how much:      \$\_\_\_\_\_

7

8        11. If you awarded zero or less than \$4,000 for each occurrence of a  
9 violation of the Unruh Act, enter the difference between the amount you awarded  
10 for each occurrence of a violation of the Unruh Act and \$4,000. (This number  
11 cannot be more than \$4,000 for each occurrence.)

12

13        \$\_\_\_\_\_

14

15        12. If you answered Question No. 4 concerning the Disabled Persons Act  
16 "Yes," answer this question. In answering Question No. 8, did you include actual  
17 damages for the violation of the Disabled Persons Act?

18         Yes       No

19

20 If "Yes", how much:      \$\_\_\_\_\_

21

22        12. If you awarded zero or less than \$1,000 for each occurrence of a  
23 violation of the Disabled Persons Act, enter the difference between the amount you  
24 awarded for each occurrence and \$1,000. (This number cannot be more than \$1,000  
25 for each occurrence.)

26

27        \$\_\_\_\_\_

1  
2 Dated: September 5, 2017

Deborah Reza  
3 Foreperson  
4

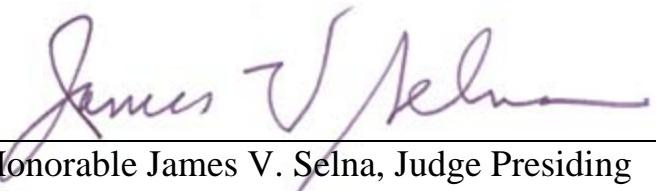
5 It appearing by reason of Special Verdict that Defendant, THE REGENTS OF  
6 THE UNIVERSITY OF CALIFORNIA, is entitled to recover costs against Plaintiff,  
7 JUSTIN GOPEN.

8 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that:

9 1. Plaintiff, JUSTIN GOPEN shall take nothing from Defendant, THE  
10 REGENTS OF THE UNIVERSITY OF CALIFORNIA.

11 2. Defendant, THE REGENTS OF THE UNIVERSITY OF  
12 CALIFORNIA, shall recover against Plaintiff, JUSTIN GOPEN its allowable costs  
13 in the amount of \$\_\_\_\_\_ pursuant to a memorandum of costs which may be  
14 filed in accordance with *Federal Rules of Civil Procedure*, Rule 54 and 28 USCS §  
15 1920.

16  
17 DATED: September 18, 2017

18  
19   
20 Honorable James V. Selna, Judge Presiding